

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

DERICK LEE HALL

Civil No. 06-1142 (ADM/SRN)

Petitioner,

v.

ORDER

R.L. MORRISON, Warden

Respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated July 28, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Petitioner's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. No. 1) and for a Writ of Mandamus and Injunction (Doc. No. 2) be **DENIED AS MOOT**, in light of the BOP's policy change of assigning prisoners to CCCs without regard to 28 C.F.R. §§ 570.20 and 570.21; and **DENIED** to the extent that he seeks immediate transfer to a CCC.
2. Petitioner's petition be **DENIED** to the extent that Petitioner contends he has not received an individualized assessment. Petitioner must first exhaust his administrative remedies within the BOP; and

3. Petitioner's petition be dismissed.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: August 28, 2006.